

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JERALD A. BOVINO,
Plaintiff,

v.

INCASE DESIGNS CORP,
Defendant.

Case No. 14-cv-02105-VC

**ORDER DENYING MOTION TO
STRIKE AND ALLOWING
SUPPLEMENTAL BRIEFING**

Re: Dkt. No. 96

Incase's motion to strike is denied without prejudice to refiling it pending the outcome of its early motion for summary judgment.

Incase may file a supplemental brief in support of its summary judgment motion for the sole purpose of making the argument that Bovino's new infringement theory involving iPad users is barred as a matter of law due to the License Agreement between Bovino and Apple/Target. Incase's supplemental brief may not exceed five pages and is due on February 25, 2015. Bovino's opposition, also not to exceed five pages, is due on March 4, 2015. No reply will be allowed.

IT IS SO ORDERED.

Dated: February 18, 2015



VINCE CHHABRIA
United States District Judge